

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 TELVIN LAMARK THOMAS,
12 Plaintiff(s),

13 v.
14 THE HONORABLE MICHELLE LEVITT,
15 et al.,
Defendant(s).

Case No.: 2:19-cv-01787-JAD-NJK

REPORT AND RECOMMENDATION

16 On November 25, 2019, the Court denied without prejudice Plaintiff's application to
17 proceed *in forma pauperis* because it was incomplete. Docket No. 5. The Court ordered Plaintiff
18 to either pay the filing fee or file a renewed application to proceed *in forma pauperis* by December
19 13, 2019. *Id.* The Court warned that "**FAILURE TO COMPLY WITH THIS ORDER MAY**
20 **RESULT IN THE DISMISSAL OF THIS CASE.**" *Id.* (emphasis in original). Despite that
21 warning, Plaintiff did not pay the filing fee or file a renewed application. Accordingly, the
22 undersigned **RECOMMENDS** that this case be **DISMISSED** without prejudice.¹

23 Dated: January 2, 2020

24
25 
Nancy J. Koppe
United States Magistrate Judge

26
27 ¹ Given Plaintiff's noncompliance as set forth above, the Court need not screen the merits
28 of the complaint. The undersigned notes, however, that Plaintiff's complaint fails to comply with
Rule 8(a) of the Federal Rules of Civil Procedure and, further, that aspects of Plaintiff's complaint
may be barred by judicial and prosecutorial immunity.

NOTICE

This report and recommendation is submitted to the United States District Judge assigned to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation must file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).